United Nations A/63/PV.75

General Assembly

Sixty-third session

Official Records

75th plenary meeting
Friday, 20 February 2009, 10 a.m.
New York

President: Mr. D'Escoto Brockmann ..... (Nicaragua)

In the absence of the President, Mr. Wolfe (Jamaica), Vice-President, took the Chair.

The meeting was called to order at 10.20 a.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/63/725)

The Acting President: I would like, in keeping with established practice, to draw the attention of the General Assembly to document A/63/725, which contains a letter from the Secretary-General addressed to the President of the General Assembly in which he informs the Assembly that 13 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I would like to remind delegations that, under Article 19 of the Charter,

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

May I take it that the General Assembly takes note of the information contained in document A/63/725?

It was so decided.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

Third report of the General Committee (A/63/250/Add.2)

The Acting President: In paragraph 1 of its third report, the General Committee recommends to the General Assembly that an additional item entitled "Financing of activities arising from Security Council resolution 1863 (2009)" be included in the agenda of the current session under heading 1, "Organizational, administrative and other matters".

May I take it that the General Assembly decides to include that item in the agenda of the current session under heading 1?

It was so decided.

The Acting President: In paragraph 1 (b) of its report, the General Committee further recommends that the item be allocated to the Fifth Committee. May I take it that the General Assembly decides to allocate the item to the Fifth Committee?

It was so decided.

The Chairman of the Fifth Committee will be informed of the decision just taken by the General Assembly.

I should like to inform members that the item entitled "Financing of activities arising from Security

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09-24613 (E)

Council resolution 1863 (2009)" becomes item 157 of the agenda of the current session.

Draft decision (A/63/L.65)

The Acting President: We shall now proceed to consider draft decision A/63/L.65. I give the floor to the representative of the Secretariat.

Mr. Botnaru (Department for General Assembly and Conference Management): I would like to make this oral statement in accordance with rule 153 of the rules of procedure of the General Assembly.

Under the terms of the operative paragraph of draft decision A/63/L.65, the General Assembly would decide that

> "the general debate for the sixty-fourth session shall be held from Wednesday, 23 September, to Saturday, 26 September, and from Monday, 28 September, to Wednesday, 30 September 2009, and that these arrangements shall in no way create a precedent for future sessions".

With respect to the holding of the general debate of the General Assembly on Saturday, 26 September 2009, it should be noted that meetings have not been planned on that date, although regular meetings servicing requirements for the general debate during weekdays have been provided for within the official calendar of meetings. Therefore, a meeting on a Saturday implies overtime compensation for meetings servicing and other related staff.

Accordingly, resources related to overtime for meeting servicing staff would be required. In addition, other related staff from the Office of Central Support Services, the Department of Safety and Security and the Department of Public Information would be required to provide sound engineers, safety and security services, press coverage and webcasting; and radio and television services. The relevant costs under the programme budget, which total $100,500, are as follows: $59,600 under section 2, "General Assembly affairs and Economic and Social Council affairs and conference management"; $25,600 under section 27, "Public information"; $5,100 under section 28 (D), "Office of Central Support Services"; and $10,200 under section 33, "Safety and security".

No provisions have been made under the programme budget for the biennium 2008-2009 for servicing the general debate of the General Assembly on a Saturday. Should the decision to hold the general debate of the General Assembly on Saturday, 26 September 2009 be adopted, indicative additional conference servicing and other requirements amounting to $100,500 would arise. It is the intention of the Secretariat to make every effort to meet those requirements within the provisions under the relevant sections of the programme budget for the biennium 2008-2009, namely, section 2, "General Assembly and Economic and Social Council affairs and conference management; section 27, "Public information", section 28 (D), "Office of Central Support Services", and section 33, "Safety and security".

The Acting President: The Assembly will now take action on draft decision A/63/L.65, entitled "General debate of the sixty-fourth regular session of the General Assembly". May I take it that the Assembly decides to adopt the draft decision?

Draft decision A/63/L.65 was adopted.

Agenda item 105 *(continued)*

Appointments to fill vacancies in subsidiary organs and other appointments

(g) Appointment of members of the Committee on Conferences

Note by the Secretary-General (A/63/107)

The Acting President: Members will recall that, at its 32nd plenary meeting, on 27 October 2008, the General Assembly took note of the President's appointment of the Congo, France, Malaysia, Mozambique, the Philippines and the Russian Federation as members of the Committee on Conferences for a period of three years beginning on 1 January 2009. Members will also recall that there remains one seat to be filled from among the Latin American and Caribbean States. Following consultations with the Chairman of the Group of the Latin American and Caribbean States, the President has appointed Mexico as a member of the Committee on Conferences for a period of three years beginning on 1 January 2009. May I take it that the Assembly takes note of that appointment?

It was so decided.

The Acting President: The General Assembly has thus concluded its consideration of sub-item (g) of agenda item 105.

(h) Appointment of a member of the Joint Inspection Unit

Note by the President of the General Assembly (A/63/667)

The Acting President: As indicated in the President's note, the General Assembly is required, during its current session, to appoint a member to fill the vacancy in the Joint Inspection Unit that will arise from the expiration of the term of office, on 31 December 2009, of Mr. Tadanori Inomata of Japan. In accordance with the procedures described in paragraph 1 of article 3 of the statute of the Joint Inspection Unit, and having consulted the regional group concerned, the President requested the delegation of Japan to propose a candidate to replace Mr. Inomata.

In accordance with resolution 59/267 of 23 December 2004, the candidate should have experience in at least one of the following fields: oversight, audit, inspection, investigation, evaluation, finance, project evaluation, programme evaluation, human resources management, management, public administration and monitoring and/or programme performance, as well as knowledge of the United Nations system and its role in international relations.

In addition, as indicated in document A/63/667, as a result of the consultations held in accordance with paragraph 2 of article 3 of the statute of the Joint Inspection Unit, including consultations with the President of the Economic and Social Council and with the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, I should like to submit to the Assembly the candidature of Mr. Tadanori Inomata of Japan for reappointment as a member of the Joint Inspection Unit for a five-year term of office beginning 1 January 2010 and expiring 31 December 2014. May I take it that it is the wish of the General Assembly to appoint the candidate?

It was so decided.

The Acting President: The General Assembly has thus concluded its consideration of sub-item (h) of agenda item 105.

The meeting rose at 10.35 a.m.

United Nations A/63/PV.76

General Assembly

Sixty-third session

Official Records

76th plenary meeting
Monday, 2 March 2009, 10 a.m.
New York

President: Mr. D'Escoto Brockmann ..... (Nicaragua)

In the absence of the President, Mr. Wolfe (Jamaica), Vice-President, took the Chair.

The meeting was called to order at 10.25 a.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations

The Acting President: I should like to inform members that, since the issuance of document A/63/725, Paraguay has made the payment necessary to reduce its arrears below the amount specified in Article 19 of the Charter. May I take it that the General Assembly duly takes note of this information?

It was so decided.

The Acting President: This information will be reflected in document A/63/725/Add.1, to be issued at a later date.

Agenda item 105 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(k) Appointment of the judges of the United Nations Dispute Tribunal

Memorandum by the Secretary-General (A/63/700)

Mr. Ripert (France) (*spoke in French*): I have taken the floor in my capacity as Chairman of the Group of Francophone Ambassadors. Francophone countries represent, I would recall, more than a third of the membership of the General Assembly.

The 67 States members of the International Organization of la Francophonie have requested that I stress their commitment to ensuring that the new structures of the system of justice can guarantee to all United Nations international civil servants a justice system that is equal for everyone.

In its resolution 62/228, the General Assembly decided that the Internal Justice Council shall provide its views and recommendations to the Assembly on two or three candidates for each vacancy in the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. Only two candidates have been selected for the post of judge in New York. The Francophone Group wonders why there are so few candidates who speak or even understand French, a working language of the United Nations, among the candidates for full-time judges of the Dispute Tribunal in New York. That could undermine the ability of many Secretariat staff members to defend their rights in one of the Organization's working languages.

We hope that, as we wait for the Tribunals' operations to be reviewed, the concerns that I have just expressed will be taken into account in the operations of the Dispute Tribunal in New York. We are all committed to ensuring that all international civil servants can use the official language of their choice before that body.

In making this statement I am not, of course, calling into question either the independence of the

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09-25228 (E)

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Internal Justice Council or the personal ability of the selected candidates, to whom we wish every success.

Mr. Seye (Senegal) (*spoke in French*): My delegation welcomes the establishment of the new United Nations system of administration of justice and reaffirms its commitment to the independence of that new entity. We take this opportunity to congratulate all candidates selected by the Internal Justice Council.

However, my delegation regrets the dearth of candidates who speak or understand French among those proposed for Headquarters in New York to be elected this morning. That situation could be a serious hindrance to international civil servants who wish to present or defend their cases before that new body in the French language.

My delegation hopes that the Secretariat will take the appropriate measures to ensure that all staff members of the Organization who wish to do so can present and defend cases before the Dispute Tribunal or the Appeals Tribunal in their choice of the six official languages.

The Acting President: As indicated in document A/63/700, the General Assembly is required, during its sixty-third session, to appoint three full-time and two half-time judges to the Dispute Tribunal. The term of office for those judges will be for seven years, beginning on 1 July 2009, subject to the transitional measure set out in article 4(4) of the statute of the United Nations Dispute Tribunal.

As also indicated in document A/63/700, in accordance with article 4(2) of the statute of the Dispute Tribunal, the

> "judges shall be appointed by the General Assembly on the recommendation of the Internal Justice Council in accordance with General Assembly resolution 62/228. No two judges shall be of the same nationality".

The names of the candidates recommended for full-time appointment to each location of the Dispute Tribunal — Geneva, Nairobi and New York — and the candidates recommended for half-time appointment to the Tribunal are also contained in document A/63/700.

In order to be eligible for appointment, article 4(3) of the statute of the Dispute Tribunal requires that a person shall be of high moral character and possess at least 10 years of judicial experience in the field of administrative law or the equivalent within one or more national jurisdictions.

Article 4(4) of the statute of the Dispute Tribunal further provides that

> "A judge of the Dispute Tribunal shall be appointed for one non-renewable term of seven years. As a transitional measure, two of the judges (one full-time judge and one half-time judge) initially appointed, to be determined by drawing of lots, shall serve three years and may be reappointed to the same Dispute Tribunal for a further non-renewable term of seven years. A current or former judge of the Appeals Tribunal shall not be eligible to serve in the Dispute Tribunal."

In document A/63/700, it is proposed that the General Assembly proceed to appoint the full-time and half-time judges of the Dispute Tribunal by way of an election, bearing in mind paragraph 58 of General Assembly resolution 63/253, in which the Assembly invited Member States, when electing judges to the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, to take due consideration of geographical distribution and gender balance.

If there is no objection, may I take it that the General Assembly agrees to that proposal?

It was so decided.

The Acting President: The candidates who obtain the largest number of votes, and not less than a majority of the votes of those present and voting, shall be considered elected, and thereby appointed by the Assembly to the Dispute Tribunal. Also, balloting shall continue, in accordance with the rules of procedure of the General Assembly, until as many candidates as are required for the full-time and half-time seats on the Dispute Tribunal to be filled have obtained, in one or more ballots, a majority of the votes of the members present and voting.

Once a candidate from a Member State has been elected, other candidates from the same Member State will be barred from standing in any subsequent rounds of balloting for any of the seats of the Dispute Tribunal. In the event that more than one candidate from the same Member State obtains the required majority in the same round of balloting, only the candidate with the highest number of votes shall be declared elected. If more than one candidate from the

same Member State obtains, in any round of balloting, the required majority and the same number of votes, the President of the General Assembly shall decide between the candidates by the drawing of lots.

May I take it that the Assembly agrees to those procedures?

It was so decided.

The Acting President: Before proceeding further, I would like to inform members that the elections for the full-time seats on the Dispute Tribunal will take place first. Once the full-time judges have been elected, the elections for half-time seats on the Tribunal will proceed. Also, immediately after the completion of the elections, the drawing of lots will be held to select, from among the judges already elected, the two judges, one full-time and one half-time, who shall serve three years.

The General Assembly will now proceed to the election of the three full-time judges of the United Nations Dispute Tribunal. Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. Each representative may vote for not more than one candidate for full-time appointment to each location of the Dispute Tribunal.

The election will be held in accordance with the relevant rules of procedure of the General Assembly. Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations. Again, I should like to repeat that the full-time seats on the Dispute Tribunal are distributed among each location of the Tribunal, that is, Geneva, Nairobi and New York. The ballot papers reflect that pattern.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting, except on a point of order on the actual conduct of the voting.

I should like to seek the usual cooperation of representatives during the time when the General Assembly is conducting the elections. Members should please be reminded that, during the voting procedure, all campaigning should cease in the General Assembly Hall. That means that, once the meeting has begun, no more campaign material can be distributed in the Hall. All representatives are also requested to remain at their seats so that the voting process can proceed in an orderly manner. I thank members for their cooperation.

We shall now begin the voting process. Members are requested to remain seated until all the ballots have been collected. Ballot papers will now be distributed.

May I request representatives to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. May I also remind representatives that they may vote for not more than one candidate for full-time appointment for each location of the Tribunal. A vote will be declared invalid if more than one name is marked for appointment to a given location of the Dispute Tribunal.

At the invitation of the Acting President, Mrs. Velichko (Belarus), Mrs. Pérez Alvarez (Cuba), Mr. Belkheir (Libyan Arab Jamahiriya), Ms. van der Horst (Netherlands), Mrs. Nguyen Thi Tu (Viet Nam) and Mr. Al Hadhrami (Yemen) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.50 a.m. and resumed at 11.45 a.m.

The Acting President: The result of the voting is as follows:

Geneva

Number of ballot papers:	175
Number of invalid ballots:	0
Number of valid ballots:	175
Abstentions:	4
Number of members voting:	171
Required majority:	86
Number of votes obtained:	
Mr. Thomas Laker (Germany):	88
Mr. Jean-François Cousin (France):	83

Nairobi

Number of ballot papers:	175
Number of invalid ballots:	0
Number of valid ballots:	175
Abstentions:	4
Number of members voting:	171
Required majority:	86
Number of votes obtained:	
Mr. Vinod Boolell (Mauritius):	94
Ms. Nkemdilim Amelia Izuako (Nigeria):	77

New York

Number of ballot papers:	175
Number of invalid ballots:	0
Number of valid ballots:	175
Abstentions:	2
Number of members voting:	173
Required majority:	87
Number of votes obtained:	
Ms. Memooda Ebrahim-Carstens (Botswana):	112
Mr. Michael Adams (Australia):	61

The following three candidates have therefore obtained the required majority and the largest number of votes and are duly appointed full-time judges of the United Nations Dispute Tribunal, to serve for a seven-year term commencing on 1 July 2009: Mr. Thomas Laker of Germany, Mr. Vinod Boolell of Mauritius and Ms. Memooda Ebrahim-Carstens of Botswana.

I take this opportunity to extend to them the congratulations of the General Assembly on their election.

The General Assembly will now proceed to the election of the two half-time judges of the United Nations Dispute Tribunal. Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. Each representative may vote for not more than two candidates for half-time appointment to the Dispute Tribunal.

The election will be held in accordance with the relevant rules of procedure of the General Assembly. Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations.

Before we begin the voting process, I should like to remind members that pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected. Ballot papers will now be distributed.

I request representatives to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. I also remind representatives that they may vote for not more than two candidates for half-time appointment to the Tribunal. A ballot will be declared invalid if more than two names are marked for appointment to the Dispute Tribunal.

At the invitation of the Acting President, Mrs. Velichko (Belarus), Mrs. Pérez Álvarez (Cuba), Mr. Belkheir (Libyan Arab Jamahiriya), Ms. van der Horst (Netherlands), Mrs. Nguyen Thi Tu (Viet Nam) and Mr. Al Hadhrami (Yemen) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at noon and resumed at 12.40 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	178
Number of invalid ballots:	1
Number of valid ballots:	177
Abstentions:	11
Number of members voting:	166
Required majority:	84
Number of votes obtained:	
Ms. Coral Shaw (New Zealand)	109
Mr. Goolam Hoosen Kader Meeran (United Kingdom of Great Britain and Northern Ireland)	101
Mr. Rodney Madgwick (Australia)	98
Mr. Mark Sutton (United Kingdom of Great Britain and Northern Ireland)	26

The Acting President: The following two candidates have obtained the required majority and the largest number of votes: Ms. Coral Shaw of New Zealand and Mr. Goolam Hoosen Kader Meeran of the United Kingdom of Great Britain and Northern Ireland. They are therefore duly appointed half-time judges of the United Nations Dispute Tribunal to serve for seven-year terms commencing on 1 July 2009. I take this opportunity to extend to them the congratulations of the Assembly on their appointment.

The Assembly has therefore appointed the following judges to serve for seven-year terms on the United Nations Dispute Tribunal, commencing on 1 July 2009. As full-time judges, Mr. Thomas Laker of Germany is appointed to the Dispute Tribunal in Geneva, Mr. Vinod Boolell of Mauritius is appointed to the Dispute Tribunal in Nairobi and Ms. Memooda

Ebrahim-Carstens of Botswana is appointed to the Dispute Tribunal in New York. Ms. Coral Shaw of New Zealand and Mr. Goolam Hoosen Kader Meeran of the United Kingdom of Great Britain and Northern Ireland are appointed as half-time judges.

In accordance with article 4(4) of the statute of the Dispute Tribunal, I will now proceed to the drawing of lots to select, from among the judges already elected, the two judges, one full-time and one half-time, who shall serve for three years.

As members can see, the boxes are empty. The names of the three full-time judges will now be put into one box, while the names of the two half-time judges will be placed into the other.

The Acting President drew the following two names from the boxes: Mr. Goolam Hoosen Kader Meeran (United Kingdom of Great Britain and Northern Ireland) and Ms. Memooda Ebrahim-Carstens (Botswana).

The Acting President: Having been drawn by lots, Mr. Goolam Hoosen Kader Meeran of the United Kingdom of Great Britain and Northern Ireland and Ms. Memooda Ebrahim-Carstens of Botswana will serve as full-time and half-time judges, respectively, on the United Nations Dispute Tribunal for a term of three years beginning on 1 July 2009.

The Assembly has thus concluded this stage of its consideration of sub-item (k) of agenda item 105.

The meeting rose at 12.50 p.m.

United Nations A/63/PV.77

General Assembly

Sixty-third session

Official Records

77th plenary meeting
Monday, 2 March 2009, 3 p.m.
New York

President: Mr. D'Escoto Brockmann ..... (Nicaragua)

In the absence of the President, Mr. Wolfe (Jamaica), Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

Agenda item 105 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(l) Appointment of the judges of the United Nations Appeals Tribunal

Memorandum by the Secretary-General (A/63/701 and Add.1)

The Acting President: As indicated in document A/63/701, the General Assembly is required, during the sixty-third session, to appoint seven judges to the United Nations Appeals Tribunal. The term of office for these judges will be for seven years, beginning on 1 July 2009, subject to the transitional measures set out in article 3(4) of the statute of the United Nations Appeals Tribunal.

As also indicated in document A/63/701, in accordance with article 3(2) of the statute of the Appeals Tribunal, the

> "judges shall be appointed by the General Assembly on the recommendation of the Internal Justice Council in accordance with General Assembly resolution 62/228. No two judges shall be of the same nationality".

The names of the candidates recommended for appointment to the Appeals Tribunal are contained in document A/63/701. Information on the withdrawal of one of the candidates, namely, Judge Marilyn Kaman of the United States of America, is contained in document A/63/701/Add.1.

Article 3(3) of the statute of the Appeals Tribunal requires that, in order to be eligible for appointment, a person shall be of high moral character and possess at least 15 years of judicial experience in the field of administrative law or the equivalent within one or more national jurisdictions.

Article 3(4) of the statute of the Appeals Tribunal further provides that

> "a judge of the Appeals Tribunal shall be appointed for one non-renewable term of seven years. As a transitional measure, three of the judges initially appointed, to be determined by drawing of lots, shall serve three years and may be reappointed to the same Appeals Tribunal for a further non-renewable term of seven years. A current or former judge of the Dispute Tribunal shall not be eligible to serve in the Appeals Tribunal."

Members are therefore informed that Mr. Vinod Boolell of Mauritius, who was appointed this morning to serve on the United Nations Dispute Tribunal, is no longer eligible to be elected to the Appeals Tribunal, and his name has been deleted from the ballot.

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09-25276 (E)

Please recycle

In document A/63/701, it is proposed that the General Assembly proceed to appoint the judges of the Appeals Tribunal by way of an election, bearing in mind paragraph 58 of General Assembly resolution 63/253, in which the Assembly invited

> "Member States, when electing judges to the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, to take due consideration of geographical distribution and gender balance".

If there is no objection, may I take it that the General Assembly agrees to the proposal?

It was so decided.

The Acting President: The candidates who obtain the largest number of votes and not less than a majority of the votes of those present and voting shall be considered elected and thereby appointed by the Assembly to the Appeals Tribunal.

Also, balloting shall continue, in accordance with the rules of procedure of the General Assembly, until as many candidates as are required for the seats on the Appeals Tribunal to be filled have obtained, in one or more ballots, a majority of votes of the members present and voting.

Once a candidate from a Member State has been elected, other candidates from the same Member State will be barred from standing in any subsequent rounds of balloting for any of the seats of the Appeals Tribunal. In the event that more than one candidate from the same Member State should obtain the required majority in the same round of balloting, only the candidate with the highest number of votes shall be declared elected. If more than one candidate from the same Member State should obtain, in any round of balloting, the required majority and the same number of votes, the President of the General Assembly shall decide between the candidates by the drawing of lots.

May I take it that the Assembly agrees to those procedures?

It was so decided.

The Acting President: Before proceeding further, I would like to inform members that, immediately after the completion of the elections, the drawing of lots will be held to select, from among the judges already elected, the three judges who shall serve three years.

The General Assembly will now proceed to the election of the seven judges of the United Nations Appeals Tribunal. Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. Each representative may vote for not more than seven candidates for appointment to the Appeals Tribunal.

The election will be held in accordance with the relevant rules of procedure of the General Assembly. Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected.

Ballot papers will now be distributed. May I request representatives to indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. May I also remind representatives that they may vote for not more than seven candidates for appointment to the Appeals Tribunal. A ballot will be declared invalid if more than seven names are marked for appointment to the Tribunal.

At the invitation of the President, Mrs. Velichko (Belarus), Mrs. Pérez Alvarez (Cuba), Mr. Belkheir (Libyan Arab Jamahiriya), Ms. van der Horst (Netherlands), Mrs. Nguyen Thi Tu (Viet Nam) and Mr. Al Hadhrami (Yemen) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 3.30 p.m. and resumed at 4.30 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	172
Number of invalid ballots:	0
Number of valid ballots:	172
Abstentions:	0
Number of members voting:	172

Required majority:	87
Number of votes obtained:	
Mr. Kamaljit Singh Garewal (India)	154
Ms. Sophia Adinyira (Ghana)	124
Mr. Mark P. Painter (United States of America)	124
Ms. Inés Weinberg de Roca (Argentina)	122
Mr. Jean Courtial (France)	94
Ms. Rose Boyko (Canada)	92
Mr. Luis María Simón (Uruguay)	87
Mr. Tudor Pantiru (Republic of Moldova/ Romania)	85
Ms. Mary Faherty (Ireland)	82
Mr. Michael Kirby (Australia)	64
Mr. Virgilijus Valančius (Lithuania)	64
Mr. Roy Lewis (United Kingdom of Great Britain and Northern Ireland)	56
Mr. Brian Tamberlin (Australia)	18

Having obtained the required majority and the largest number of votes, the following seven candidates have thus been elected judges of the United Nations Appeals Tribunal for a seven-year term beginning on 1 July 2009: Mr. Kamaljit Singh Garewal of India, Ms. Sophia Adinyira of Ghana, Mr. Mark P. Painter of the United States of America, Ms. Inés Weinberg de Roca of Argentina, Mr. Jean Courtial of France, Ms. Rose Boyko of Canada and Mr. Luis María Simón of Uruguay. I take this opportunity to extend to them the congratulations of the Assembly on their appointment and to thank the tellers for their efforts.

In accordance with article 3(4) of the statute of the Appeals Tribunal, I shall now proceed to the drawing of lots to select, from among the judges already elected, the three judges who shall serve three years.

As members can see, the box is empty. The names of the seven judges will now be put into the box.

I shall now drew three names from the box to select the judges to serve for three years.

The Acting President drew the following three names from the box: Mr. Jean Courtial (France) Mr. Kamaljit Singh Garewal (India) and Mr. Mark P. Painter (United States of America).

The Acting President: Having been drawn by lots, Mr. Jean Courtial of France, Mr. Kamaljit Singh Garewal of India and Mr. Mark P. Painter of the United States of America will serve as judges on the United Nations Appeals Tribunal for a term of three years, beginning on 1 July 2009.

I now call on the representative of Canada.

Mr. Plunkett (Canada): I should like to congratulate all the candidates selected today. Canada strongly supports the new system of administration of justice at the United Nations, and the selections made today are another important step in the realization of that long-overdue reform.

Without fail, all of the judges selected today conform to the highest standards of excellence, and we applaud their selection. However, Canada shares the concerns raised earlier in the day by the representatives of Senegal and France regarding the ability of the New York-based Dispute Tribunal to respond to the needs of French-speaking staff members of the United Nations. Canada would therefore like to add its voice to those urging the Internal Justice Council to consider this in its future nominations for these Tribunals.

The Acting President: The Assembly has thus concluded its consideration of sub-item (l) of agenda item 105.

The meeting rose at 4.35 p.m.

United Nations A/63/PV.78

General Assembly

Official Records

Sixty-third session

78th plenary meeting
Tuesday, 31 March 2009, 3 p.m.
New York

President: Mr. D'Escoto Brockmann ..... (Nicaragua)

The meeting was called to order at 3.20 p.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/63/725/Add.1 and Add.2)

The President: I would like, in keeping with established practice, to draw the attention of the General Assembly to documents A/63/725/Add.1 and Add.2, in which the Secretary-General informs the President of the General Assembly that, since the issuance of his communication contained in document A/63/725, the Dominican Republic, the Marshall Islands and Paraguay have made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter. May I take it that the General Assembly duly takes note of the information contained in those documents?

It was so decided.

Agenda item 105 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(i) Confirmation of the appointment of the Administrator of the United Nations Development Programme

Note by the Secretary-General (A/63/109)

The President: I would now like to draw the General Assembly's attention to the note by the Secretary-General contained in document A/63/109, which pertains to the confirmation of the appointment of the Administrator of the United Nations Development Programme.

In paragraph 22, part B, of resolution 1240 (XIII) of 14 October 1958 on the establishment of the Special Fund, the General Assembly provided that the Secretary-General, after having consulted the Governing Council of the Special Fund, would appoint the Managing Director, subject to confirmation by the Assembly. That procedure has been construed as applying also to the appointment of the Administrator of the United Nations Development Programme.

By its decision 59/417 of 5 May 2005, the General Assembly confirmed the appointment by the Secretary-General of Mr. Kemal Dervi as Administrator of the United Nations Development Programme for a four-year term of office beginning on 15 August 2005 and ending on 14 August 2009. In an announcement on 8 January 2009, the Secretary-General informed that he had accepted with regret the resignation of Mr. Dervi, effective 1 March 2009.

Following consultations with members of the Executive Board of the United Nations Development Programme, the Secretary-General now requests the General Assembly to confirm the appointment of Ms. Helen Clark as Administrator of the United Nations Development Programme for a four-year term of office beginning on 20 April 2009. May I take it that the General Assembly approves that proposal?

It was so decided.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

09-28579 (E)

Please recycle

The President: I now give the floor to the representative of the Sudan.

Mr. Mohamad (Sudan): On behalf of the Group of 77 and China, I would like to express our sincere congratulations to Ms. Helen Clark of New Zealand on her nomination by the Secretary-General as Administrator of the United Nations Development Programme (UNDP). We take this opportunity to extend to her our best wishes for a successful term of office and to assure her of our support and cooperation.

The Group of 77 and China believe that the development agenda is a major and basic pillar of the Organization, and one where considerable effort is still needed. Indeed, sustainable development should remain the centrepiece of deliberations at the United Nations. The achievement of the internationally agreed development goals, including the Millennium Development Goals, should continue to be the overarching framework for the activities of the United Nations. UNDP is one of the main institutions whose goals are directly related to the development agenda and are linked to the lives of millions in developing countries. We therefore believe that UNDP can play a crucial role in supporting our development objectives. For this reason, it is imperative that the Administrator act in the interests of developing countries within the framework of their national development policies and priorities.

Today, UNDP continues to be relevant as a forum for the implementation of our common development goals by translating them into operational activities and concrete actions in the field. Our objective in this period should be the implementation of what we have agreed on in the major United Nations conferences and summits to help the poor in their struggle against poverty, especially in these times of economic crisis. In that regard, the Group of 77 is convinced that the implementation of the internationally agreed development goals, including the Millennium Development Goals, is of the utmost priority.

This constitutes the framework in which the Group of 77 and China hope to work with Ms. Helen Clark. That is a challenge we have to face hand in hand with the new Administrator. We are hopeful that, under her leadership, UNDP will respond to these challenges in a transparent and effective manner. I wish to assure Ms. Clark that the Group of 77 and China will support her efforts as Administrator of UNDP in strengthening our much-needed global partnership for development based on recognition of national leadership and ownership of national strategies.

The President: The Assembly has thus concluded its consideration of sub-item (i) of agenda item 105.

(k) Appointment of the judges of the United Nations Dispute Tribunal

Memorandum by the Secretary-General (A/63/700/Add.1)

Report of the Internal Justice Council (A/63/489/Add.1)

The President: Members will recall that, at its 76th plenary meeting, on 2 March 2009, the General Assembly appointed, by way of an election, three full-time and two half-time judges of the United Nations Dispute Tribunal.

By its resolution 63/253 of 24 December 2008, the General Assembly decided, inter alia, that, as an interim measure, three ad litem judges would be appointed by the General Assembly to the Dispute Tribunal and that the judges would have all the powers conferred on the permanent judges of the Dispute Tribunal and would be appointed only for a period of one year as from 1 July 2009.

The General Assembly will now proceed to the appointment, by way of an election, of three ad litem judges of the United Nations Dispute Tribunal for a one-year term of office commencing on 1 July 2009.

In connection with the appointment today of the three ad litem judges, I should like to bring the following matters to the attention of the General Assembly. First, as indicated in document A/63/700/Add.1, the appointment of the ad litem judges to the Dispute Tribunal is not addressed in the statute of the Tribunal. Accordingly, the appointment of ad litem judges will be made in accordance with: General Assembly resolution 63/253 of 24 December 2008; General Assembly decision 34/401; the rules of procedure of the General Assembly; and the recommendations of the Internal Justice Council, as set out in its report to the General Assembly (A/63/489/Add.1).

Secondly, also as indicated in document A/63/700/Add.1, it is proposed that the General Assembly proceed to appoint the ad litem judges of the

Dispute Tribunal, bearing in mind operative paragraph 58 of General Assembly resolution 63/253, in which the Assembly invited Member States, when electing judges to the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, to take due consideration of geographical distribution and gender balance. If there is no objection, may I take it that the General Assembly agrees to those procedures?

It was so decided.

The President: For the three vacancies, the Internal Justice Council has recommended for appointment the following three candidates, whose curricula vitae are provided in document A/63/489/Add.1: Michael Adams of Australia; Jean-François Cousin of France; and Nkemdilim Amelia Izoako of Nigeria.

In accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot and there shall be no nominations. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on the basis of dispensing with the secret ballot?

It was so decided.

The President: As the number of candidates recommended by the Internal Justice Council is equal to the number of seats to be filled, may I therefore take it that the Assembly wishes to declare the three candidates, namely Michael Adams, Jean-François Cousin and Nkemdilim Amelia Izuako, appointed ad litem judges of the United Nations Dispute Tribunal for a one-year term of office beginning 1 July 2009?

It was so decided.

The President: Finally, as the three ad litem judges are appointed as a transitional measure only for a period of one year pursuant to General Assembly resolution 63/253 and have not been appointed as permanent judges of the Dispute Tribunal, may I take it that the General Assembly also wishes to declare that those three ad litem judges will remain eligible for appointment as either full-time or half-time judges of the Dispute Tribunal in accordance with its statute once they have completed their one-year term?

It was so decided.

The President: I congratulate the judges on their appointment as ad litem judges of the United Nations Dispute Tribunal.

I now give the floor to the representative of the United States of America.

Mr. Rashkow (United States of America): My delegation would like to comment on the reports of the Internal Justice Council concerning the appointment of the three ad litem judges to the United Nations Dispute Tribunal. We are concerned that the appointment of those judges, as recommended by the Internal Justice Council, has been unnecessarily rushed, denying Member States the opportunity to make an informed decision.

The Internal Justice Council report (A/63/489/Add.1), with the recommendations for the three ad litem judges, was only issued in its final form at the end of last week during the final hectic days of the resumed session of the Fifth Committee. As far as we can determine, notice for the election today was only published in the *Journal* as of the beginning of the week.

We do not concur with the Internal Justice Council's assessment that there are exigent circumstances that necessitate action by the General Assembly at this time. Resolution 62/228 specifies that the Internal Justice Council should provide two or three candidates for each vacancy in the United Nations Dispute Tribunal. Instead, the Internal Justice Council has provided only three names for three ad litem positions, and we are called upon to act today.

The new Dispute Tribunal does not commence operations until 1 July 2009. We have already elected three regular judges and two part-time judges to the Dispute Tribunal. In our view, the principle purpose of the ad litem judges was to help the Dispute Tribunal address the expected backlog of cases in the Tribunal that will occur once the United Nations Administrative Tribunal ceases operations at the end of 2009. Thus, it appears that the real need for ad litem judges will occur only after the end of the year, not as of 1 July. Under the circumstances, while we agree that these judges

should be appointed as of 1 July 2009, there was no need to rush the appointment process in this manner.

In this respect, my delegation was also concerned that Member States were not provided with an opportunity to make an informed selection from among a number of candidates. My delegation believes that Member States should be provided a choice in this matter.

For all of these reasons, we think that these appointments should have been made in May or in June. My delegation would emphasize, however, that our concerns address process and not the qualifications of the candidates. Given the circumstances and while registering our concerns about the process, my delegation nevertheless has joined the consensus to appoint the three candidates before us.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (k) of agenda item 105?

It was so decided.

Agenda item 57 (*continued*)

New Partnership for Africa's Development: progress in implementation and international support

(a) New Partnership for Africa's Development: progress in implementation and international support

Draft resolution A/63/L.60/Rev.1*

The President: Members will recall that the General Assembly held the high-level meeting on the theme "Africa's development needs: state of implementation of various commitments, challenges and the way forward" under agenda item 57 at the 3rd and 4th plenary meetings on 22 September 2008. Members will also recall that the General Assembly held a debate on agenda item 57 and its sub-items (a) and (b), jointly with agenda item 43, at the 26th, 27th and 29th plenary meetings on 15 and 20 October 2008.

I now give the floor to the representative of the Sudan to introduce draft resolution A/63/L.60/Rev.1*.

Mr. Mohamad (Sudan) (*spoke in Arabic*): I have taken the floor to introduce draft resolution A/63/L.60/Rev.1*, entitled "New Partnership for Africa's Development: progress in implementation and international support" and sponsored by Austria, Belgium, Canada, Denmark, Finland, France, Germany, Italy, the Netherlands, Portugal and the Sudan, representing the Group of 77 and China.

I wish to thank the delegation of Morocco, which played the role of coordinator, and the delegation of Tanzania, which also dealt with coordination for this very important draft resolution, which in its preambular paragraphs recalls the relevant resolutions of the General Assembly on the New Partnership for Africa's Development, as well as the World Summit Outcome and the political declaration adopted at the high-level meeting of the General Assembly on Africa's development needs on 22 September 2008.

The operative paragraphs of the draft resolution take note of the sixth consolidated report of the Secretary-General and reaffirm the General Assembly's commitment to the full implementation of the political declaration on Africa's development needs, as also reaffirmed in the Doha Declaration. The draft reaffirms the General Assembly's full support for the implementation of the New Partnership for Africa's Development and requests the Secretary-General to submit a report on the implementation of the present draft resolution.

It is our hope that the General Assembly will adopt the draft resolution and all of its components by consensus.

The President: The Assembly will now take a decision on draft resolution A/63/L.60/Rev.1*. I have been informed that Greece, Israel, Luxembourg, Slovenia, Spain and the United Kingdom have joined as sponsors.

May I take it that the Assembly decides to adopt draft resolution A/63/L.60/Rev.1*?

Draft resolution A/63/L.60/Rev.1 was adopted* (resolution 63/267).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 57?

It was so decided.

Agenda item 48 (*continued*)

Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the preparation of the 2008 Review Conference

Draft resolution A/63/L.66

The President: Members will recall that, at its 74th plenary meeting, on 23 December 2008, the Assembly decided to consider agenda item 48 directly in plenary meeting.

Members will further recall that, in accordance with General Assembly resolution 63/239 of 24 December 2008, the Assembly decided to hold a conference at the highest level on the world financial and economic crisis and its impact on development, and that the conference would be organized by the President of the General Assembly and that the modalities of the conference would be defined by March 2009 at the latest. The draft resolution on the modalities of the conference has been issued as document A/63/L.66.

I should like to inform members that action on draft resolution A/63/L.66 is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on the draft resolution as soon as the report of the Fifth Committee on its programme budget implications is available.

The General Assembly has thus concluded this stage of its consideration of agenda item 48.

The meeting rose at 3.50 p.m.

United Nations A/63/PV.79

General Assembly

Sixty-third session

Official Records

79th plenary meeting
Tuesday, 7 April 2009, 10 a.m.
New York

President: Mr. D'Escoto Brockmann ..... (Nicaragua)

The meeting was called to order at 10.15 a.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/63/725/Add.3)

The President: I would like, in keeping with established practice, to invite the attention of the General Assembly to document A/63/725/Add.3, in which the Secretary-General informs the President of the General Assembly that, since the issuance of his communication contained in documents A/63/725 and A/63/725/Add.1 and Add.2, Tajikistan has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of the information contained in this document?

It was so decided.

Reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 118, 123, 124, 139, 146, 149, 157 and 117.

I request the Rapporteur of the Fifth Committee, Mr. Patrick Chuasoto of the Philippines, to introduce in one intervention the reports of the Fifth Committee before the Assembly.

Mr. **Chuasoto** (Philippines) (Rapporteur of the Fifth Committee) (*spoke in Chinese*): I have the honour today to present to the General Assembly the reports of the Fifth Committee containing recommendations on issues that required action during the first part of the resumed 63rd session of the General Assembly. The Fifth Committee met from 2 to 27 March 2009 and held 11 plenary meetings and numerous rounds of informal and informal/informal consultations.

I therefore have the honour to present the following brief report on the work of the Fifth Committee.

(*spoke in Spanish*)

Concerning agenda item 118, entitled "Programme budget for the biennium 2008-2009", in paragraph 10 of its report in document A/63/648/Add.5 the Fifth Committee recommends to the General Assembly the adoption of three draft resolutions that were adopted by the Committee without a vote. Draft resolution I is entitled "Special subjects relating to the programme budget for the biennium 2008-2009". Draft resolution II is entitled "Information and communications technology, disaster recovery and business continuity for the United Nations: arrangements for the secondary data centre at Headquarters". Draft resolution III is entitled "Capital master plan".

Under agenda item 123, entitled "Human resources management", in paragraph 6 of its report in document A/63/639/Add.1 the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

09-29453 (E)

Please recycle

Under agenda item 124, entitled "Joint Inspection Unit", in paragraph 6 of its report contained in document A/63/786 the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

The report of the Fifth Committee on agenda item 139, entitled "Financing of the United Nations Mission in Ethiopia and Eritrea", is contained in document A/63/646/Add.1. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft decision that the Committee adopted without a vote.

Under agenda item 146, entitled "Financing of the United Nations Mission in the Sudan", the report of the Fifth Committee is contained in document A/63/787. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution that the Committee adopted without a vote.

Under agenda item 149, entitled "Financing of the United Nations Mission in the Central African Republic and Chad", the report of the Fifth Committee is contained in document A/63/788. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution that the Committee adopted without a vote.

Under agenda item 157, entitled "Financing of the activities arising from Security Council resolution 1863 (2009)", the report of the Fifth Committee is contained in document A/63/789. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution that the Committee adopted without a vote.

Finally, under agenda item 117, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", the report of the Fifth Committee is contained in document A/63/649/Add.1. In paragraph 8 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution entitled "Accountability framework, enterprise risk management and internal control framework, and results-based management framework". Furthermore, in paragraph 9 of the same report, the Committee recommends to the General Assembly the adoption of a draft decision entitled "Questions deferred for future consideration". Both proposals were adopted by the Committee without a vote.

I wish to thank delegations for their cooperation and to assure them that the changes made at the 39th plenary meeting of the Fifth Committee have been duly taken into account and are reflected in the draft resolutions and reports before them.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee that are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee, unless notified otherwise in advance.

Agenda item 118 (*continued*)

Programme budget for the biennium 2008-2009

Report of the Fifth Committee (A/63/648/Add.5)

The President: The Assembly has before it three draft resolutions recommended by the Fifth Committee in paragraph 10 of its report.

We will now take a decision on draft resolutions I to III. Draft resolution I is entitled "Special subjects relating to the programme budget for the biennium

2008-2009". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 63/268).

The President: Draft resolution II is entitled "Information and communications technology, disaster recovery and business continuity for the United Nations: arrangements for the secondary data centre at Headquarters". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 63/269).

The President: Draft resolution III is entitled "Capital master plan". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 63/270).

The President: I now call on the representative of the Syrian Arab Republic, who wishes to speak in explanation of position on the resolution just adopted.

Mr. Diab (Syrian Arab Republic) (*spoke in Arabic*): My delegation's explanation of position concerns section IV of the resolution just adopted, entitled "Special subjects relating to the programme budget for the biennium 2008-2009".

Our delegation would like to reiterate its position regarding the logical framework for the budget of the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004). That framework continues to contain flaws and distortions with regard to the principles of results-based budgeting and the legislative mandate given to the Secretariat by the Council.

Because of our country's sense of responsibility, we have always expressed our opinions to representatives of the Secretariat regarding the formulation of the logical framework. Since the discussion of the framework began in the Fifth Committee in 2006, we have very clearly described to the Secretariat the attempts of the Secretary-General's Special Envoy to distort and exceed his mandate by adopting a special budget for himself, and we have provided evidence in that regard.

Representatives of the Secretariat used to point out that our observations were appropriate and correct, and they tried to match them with a logical framework. However, before the eyes of representatives of the Secretariat, the Special Envoy of the Secretary-General continued to disregard those remarks and to exceed his mandate and the principles of work of the United Nations established by the Charter.

That state of affairs continued despite the ongoing affirmations of our delegation, supported by the Charter of the United Nations, that the expected achievements and indications thereof included in the budget of the Special Envoy on the establishment of diplomatic relations between sovereign States was a matter that was not connected to the mandate established in Security Council resolution 1559 (2004) and constituted interference in the internal affairs of States. It was also in violation of Security Council resolution 1680 (2006), which states that the establishment of diplomatic relations between States is by definition a bilateral matter.

The Special Envoy of the Secretary-General continued to disregard paragraph 2 of Security Council resolution 1559 (2004), which clearly and explicitly calls for the withdrawal of foreign troops from Lebanon. This indicates and establishes that the Special Envoy of the Secretary-General was neither objective nor impartial in formulating the expected achievements and indications while he was preparing his budget. The purpose and objective of that disregard was to distract from the true problem facing the region, which is Israel's continued occupation of practices in Arab lands.

Our delegation would like to emphasize that, when the General Assembly decided to take note of the logical framework of the budget of the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), our country did not approve. The Secretariat needs to take into consideration the concerns of our delegation and must translate the relevant legislative mandates honestly. We would like to point out that our understanding of that resolution is that the Secretariat is not authorized to spend from the budget allocated for Security Council resolution 1559 (2004) because the logical framework was not adopted on the basis of results-based budgeting.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 118.

Agenda item 123 (*continued*)

Human resources management

Report of the Fifth Committee (A/63/639/Add.1)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. We will now take a decision on the draft resolution, entitled "Amendments to the Staff Regulations". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 63/271).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 123.

Agenda item 124

Joint Inspection Unit

Report of the Fifth Committee (A/63/786)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 63/272).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 124.

Agenda item 139 (*continued*)

Financing of the United Nations Mission in Ethiopia and Eritrea

Report of the Fifth Committee (A/63/646/Add.1)

The President: The Assembly has before it a draft decision recommended by the Fifth Committee in paragraph 6 of its report. We will now take a decision on the draft decision. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 139.

Agenda item 146

Financing of the United Nations Mission in the Sudan

Report of the Fifth Committee (A/63/787)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Assembly will now take action on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 63/273).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 146.

Agenda item 149

Financing of the United Nations Mission in the Central African Republic and Chad

Report of the Fifth Committee (A/63/788)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 63/274).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 149.

Agenda item 157

Financing of the activities arising from Security Council resolution 1863 (2009)

Report of the Fifth Committee (A/63/789)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. We will now take a decision on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 63/275).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 157.

Agenda item 117 (*continued*)

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/63/649/Add.1)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report and a draft decision recommended in paragraph 9 of the same report.

The Assembly will now take a decision on the draft resolution and on the draft decision. The Fifth Committee adopted the draft resolution, entitled "Accountability framework, enterprise risk management and internal control framework, and results-based management framework", without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 63/276).

The President: The Fifth Committee adopted the draft decision, entitled "Questions deferred for future consideration", without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 117.

The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

Agenda item 48 (*continued*)

Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the preparation of the 2008 Review Conference

Draft resolution (A/63/L.66)

Report of the Fifth Committee (A/63/807)

The President: I should like to inform members that, at its 74th plenary meeting, held on 23 December 2008, the General Assembly decided to consider agenda item 48 directly in plenary meeting under heading B, "Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences".

The Assembly now has before it a draft resolution issued as document A/63/L.66. The report of the Fifth Committee on the programme budget implications of this draft resolution is contained in document A/63/807.

We shall now proceed to consider draft resolution A/63/L.66, entitled "Organization of the United Nations conference at the highest level on the world financial and economic crisis and its impact on development". May I take it that the Assembly decides to adopt draft resolution A/63/L.66?

Draft resolution A/63/L.66 was adopted (resolution 63/277).

The President: I now call on those representatives who wish to speak in explanation of position on the resolution just adopted.

Mr. Gonsalves (Saint Vincent and the Grenadines): I have the honour to deliver the statement of the co-facilitators on behalf of the delegations of the Kingdom of the Netherlands and Saint Vincent and the Grenadines.

We thank the General Assembly for adopting resolution 63/277 by consensus. Since our recent appointments as co-facilitators to complete the negotiations on modalities and the preparatory process of the United Nations conference on the world financial and economic crisis and its impact on development, we have committed ourselves to upholding the openness, transparency and inclusivity of the process, as mandated in the 23 March 2009 letter of the President of the General Assembly. Paragraph 9 of the resolution further embodies the sentiment.

Member States have drawn lessons from previous negotiation processes and have rightly sought to ensure that those lessons help to inform the preparatory process for our June conference. During our involvement as co-facilitators, we have repeatedly stressed our joint assessment that many aspects of behaviour or managerial discretion cannot be legislated or controlled by semantic adjustments to the resolution.

We have pledged to facilitate and conduct the preparatory process in full regard for the explicit mandates of paragraphs 9 and 1 (e) that the process be

led by Member States and result in an outcome to be agreed by Member States.

As Permanent Representatives of Member States of the United Nations, which is an intergovernmental body, we have no difficulty in understanding and upholding the leadership and decision-making role of Member States in the preparatory process. The 23 March letter of the President of the General Assembly cited the membership's broad agreement that the preparatory process of the conference would benefit from the inclusion of invited non-Member groups and organizations. We agree with the President's assessment.

The negotiation process is driven by Member States. The outcome of the Conference will have to be agreed by Member States and Member States only. The resolution leaves no room for interpretation on that point. We will ensure that participants in the consultations respect each other's respective and distinct roles and responsibilities. Accordingly, we look forward to assisting the Member States in arriving at an agreed and concise outcome. Our understanding of the phrase "concise outcome" reflects the Member States' desire to produce an outcome free of extraneous or superfluous verbiage. The content of the outcome will be determined by the scope of the conference, as outlined in the second preambular paragraph of the resolution, and ultimately by the agreement of the Member States themselves.

We consider the resolution to be a carefully calibrated and balanced document designed to engender the support of all Member States. No single paragraph should be read in isolation because such an approach will detract from the totality of the good-faith compromises and concessions made by all Member States to date. We view the resolution in this holistic light and pledge to uphold its letter and spirit in such a manner as to achieve a successful June conference.

Mr. Valero Briceño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): On behalf of the Bolivarian Republic of Venezuela, allow me to express our gratitude for the excellent work that you, Sir, have been carrying out as President of the General Assembly. We trust in your wise leadership. We are certain that you will continue to work towards a successful United Nations conference on the global financial and economic crisis and its impact on development in June.

We would also like to express our gratitude to the Group of 77 and China, and in particular its Chairperson, for their decisive support for this large-scale United Nations conference. We believe that a united G-77 and China is a prerequisite for ensuring that the interests of the peoples of the South will be reflected in the document that the Conference will adopt.

The leader of the Bolivarian revolution, President Hugo Chávez Frías, proposed that the United Nations hold a world summit on the global financial and economic crisis. Our delegation to the United Nations went to work and prepared a draft resolution on the subject. It promoted wide-ranging consultations with the countries of the Bolivarian Alternative for the Americas (ALBA) and with all the regional groups represented at the United Nations in order to prepare the draft resolution.

On 11 November 2008, Venezuela introduced a draft resolution entitled "The world financial and economic crisis and its consequences" contained in document A/63/L.22. This draft resolution, in its first iteration, was sponsored by 33 countries of this body. On 20 November 2008, the Group of 77 and China adopted it by consensus and, on 21 November of the same year, submitted it to the General Assembly.

The G-77 and China went to the Doha Review Conference on Financing for Development, held in late November 2008, with a common draft resolution that called for the holding of a world summit, organized by the President of the General Assembly, during the sixty-third session of that body. The G-77 and China proposed

> "to examine the underlying causes of the financial crisis and undertake a comprehensive review of the international financial system with a view to advancing efforts to reform the Bretton Woods institutions" (*A/63/L.22/Rev.1, para. 1*).

In the capital of the State of Qatar, we approved the convening of a conference at the highest level on the world financial and economic crisis and its impact on development. We particularly welcome, Sir, the selection of you as President and organizer of that conference and that it will take place during the sixty-third session of the General Assembly. We also welcome the fact that it has been agreed to hold it at the highest level, and we hope that all heads of State and Government of the Member States will participate.

Furthermore, we are pleased that it has been agreed to make the outcome document of the conference intergovernmental. We would like to stress the historic nature of the General Assembly's active participation in the debate on the reform of the global financial and economic system and architecture and of its opportunity to respond to the crisis.

We appreciate, Sir, the fact that the facilitators appointed by you, the Permanent Representatives of Saint Vincent and the Grenadines and of the Netherlands, have determined — as we heard a few minutes ago — the conditions of participation in the conference of entities other than the Member States, as well as some terms of the outcome document.

The Bretton Woods institutions are the main culprits of the current crisis, together with the United States Federal Reserve and the Department of the Treasury of George W. Bush's Administration. Its consequences are terrible: increasing poverty, unemployment, hunger and social inequality that primarily affect the most vulnerable in developing countries and in developed capitalist countries alike.

In response to the crisis, it has been proposed to recapitalize the International Monetary Fund (IMF) in order to consolidate the credit monopoly and maintain conditionality. That is an attempt to strengthen neo-liberal globalization and uphold the historic transfer of capital from the South to the North. Thus, referring to the outcome of the recent G-20 summit, President Hugo Chávez Frias pointed out that "the IMF is being heralded as a saviour and hero when in fact it was the villain that sunk the world".

The Bolivarian Government believes that, in order to achieve true global human development and to address the current crisis, it is necessary to break the credit monopoly of the countries of the North and the Bretton Woods institutions; to abolish the conditionality that the IMF imposes on developing countries; to strengthen regional banks, such as the Bank of the South and the ALBA bank — at the recent summit of South American and Arab countries, Venezuela proposed the establishment of a bank under the Organization of Petroleum Exporting Countries — and to establish regional monetary agreements and regional currencies. The ALBA countries are moving towards creating a unified regional compensation system. Venezuela proposes establishing the petrodollar as an exchange currency among oil-producing countries. It should be stressed that progress has been made in other geographical areas — such as Chiang Mai in South-East Asia, Africa and Arab countries — that must be taken into account.

It is also necessary to regionalize the monetary reserves, including the possibility of issuing regional special drawing rights, to abolish the dollar as a reserve currency and to prevent voracious imperialist interests from continuing to swindle the world by financing its deficit by issuing notes. We must liberate ourselves from the yoke of the dollar.

Allow me to conclude by stating that the revolutionary Government over which Hugo Chávez Frias presides believes that the United Nations conference will be an opportunity to discuss the destiny of the world and the challenges facing humankind at this historic time; to denounce the miseries and infeasibility of capitalism; to oppose the economic and financial system that has resulted in such disastrous consequences for the peoples of the world; and to advocate the structural transformation of the current global financial and economic architecture.

New alternatives for the development and happiness of the people have been suggested. In that context, the future will see the rise of an alternative twenty-first century humanist socialism that fosters the liberation of humanity and nature.

The President: I would like to express my sincere thanks to Mr. Kaire Mbuende, Permanent Representative of Namibia, together with Mr. Frank Majoor of the Kingdom of the Netherlands and Mr. Camillo Gonsalves of Saint Vincent and the Grenadines, who have so ably and patiently conducted the discussions and complex negotiations in the informal consultations to bring them to a successful conclusion. I am sure that Members of the Assembly join me in extending to them our sincere appreciation.

I am very pleased that the Member States have agreed on the modalities of the United Nations conference at the highest level on the economic and financial crisis and its impact on development. I congratulate them.

In the midst of the most serious economic downturn since the Great Depression, we now have the opportunity and the responsibility to search for solutions that take into account the interests of all nations, rich and poor, large and small. That is the

mission of the G-192. Among the many international processes searching for solutions, the decisions of the States Members of the United Nations are taken within a legally defined structure that offers inclusiveness and credibility within an established framework of sovereign equality. In sum, the General Assembly is the most universal, comprehensive and legitimate international decision-making body that bases its decisions on the right of all peoples to participate actively in decisions that affect all humankind.

In the past weeks and months, trillions of dollars have been spent or committed to restore trust and confidence in financial markets and institutions. However, trust and confidence are obviously about more than money; they are also about values, ethics and justice. There is widespread consensus among world leaders that the current crisis has its roots in ethical failure, in unrestrained greed, in reckless denigration of the common good and in a denial of any sense of social justice or obligation. The result has been a continual concentration of income, wealth and power, increased instability and a genuine risk of catastrophe.

As the G-20 leaders said last week, we face a global crisis that requires a global solution. All of us are affected by the breakdown of the financial economic order, and all of us must participate to establish a more just and more sustainable financial and economic system. In agreeing to hold the United Nations conference at the highest level, Member States are recognizing the vital importance of assuring that all nations have an opportunity to participate equally and fully in the common search for solutions that meet the concerns and needs of all countries, large and small.

In this effort, we must draw upon technical expertise and practical wisdom from all over the world and from countries at every stage of development, as well as from international organizations, academia, private sector organizations and civil society. Our preparatory work has been ongoing, but now, with the completion of the modalities resolution, we must approach the preparations for the June United Nations conference with a redoubled sense of urgency. With the assistance of the facilitators, I hope to be able to present a programme of work for the Assembly's consideration next week. In addition, I will be inviting the heads of State and Government of all Member States and observers to attend the meeting. I shall rely on the goodwill and good offices of Members to confirm, as early as possible, the highest level participation of their Governments.

We have a historic responsibility to demonstrate that the United Nations system, headed by the General Assembly, has the capacity and the will to respond effectively and with dispatch to threats to our global community. Let us now begin our work together.

The General Assembly has thus concluded this stage of its consideration of agenda item 48.

The meeting rose at 11.10 a.m.

United Nations A/63/PV.80

General Assembly
Sixty-third session

Official Records

80th plenary meeting
Wednesday, 22 April 2009, 10 a.m.
New York

President: Mr. D'Escoto Brockmann. . . . . (Nicaragua)

The meeting was called to order at 10.25 a.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/63/725/Add.4)

The President (*spoke in Spanish*): I would like, in keeping with established practice, to invite the attention of the General Assembly to document A/63/725/Add.4, in which the Secretary-General informs the President of the General Assembly that, since the issuance of his communication contained in documents A/63/725 and addenda 1 to 3, Cape Verde has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of the information contained in this document?

It was so decided.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

The President (*spoke in Spanish*): I now invite the attention of the General Assembly to document A/63/L.69, circulated under sub-item (d) of agenda item 49, "Protection of global climate for present and future generations of mankind".

Members will recall that at the 2nd plenary meeting, on 19 September 2008, the General Assembly decided to allocate this sub-item to the Second Committee. In order for the General Assembly to proceed expeditiously with the consideration of the draft resolution A/63/L.69, may I take it that it is the wish of the General Assembly to consider sub-item (d) of agenda item 49 directly in plenary under heading B, "Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences"?

It was so decided.

The President (*spoke in Spanish*): May I further take it that the General Assembly agrees to proceed immediately to the consideration of sub-item (d) of agenda item 49?

As I see no objection, we shall now proceed accordingly.

Agenda item 49 (*continued*)

Sustainable development

(d) Protection of global climate for present and future generations of mankind

Draft resolution (A/63/L.69)

The President: I am very pleased to preside over this meeting to consider and take action on the draft resolution entitled "International Mother Earth Day" (A/63/L.69). I wish to acknowledge the presence of my

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09-30962 (E)

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dear friend the President of the Plurinational State of Bolivia, Evo Morales Ayma. As we all know, Bolivia has taken the lead in bringing this draft resolution before the General Assembly, and we are grateful for the personal attention that His Excellency President Morales has given this important initiative.

The proclamation of 22 April as International Mother Earth Day is an acknowledgement that the Earth and its ecosystems provide us with life and sustenance throughout our lives. It also recognizes our responsibility, as called for in the 1992 Rio Declaration on Environment and Development, to promote harmony with nature and the Earth to achieve a just balance among the economic, social and environmental needs of present and future generations of humankind. "Mother Earth" is a common expression for our planet in many cultures. It reflects the interdependence that exists among human beings, other living species and the planet we all inhabit.

The draft resolution has been authored by the Plurinational State of Bolivia and is also sponsored by Antigua and Barbuda, Argentina, Barbados, Belarus, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cape Verde, Chile, China, the Congo, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, Dominica, the Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Haiti, Honduras, Italy, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Luxembourg, Mongolia, Nepal, Nicaragua, Pakistan, Paraguay, the Philippines, Portugal, Saint Lucia, Serbia, Seychelles, Somalia, Spain, the Sudan, the Syrian Arab Republic, Togo, Uruguay and the Bolivarian Republic of Venezuela.

Since the issuance of document A/63/L.69, the following countries have joined the list of sponsors of the draft resolution: Albania, Algeria, Andorra, Azerbaijan, Bangladesh, Belize, Eritrea, Finland, Germany, Grenada, Guyana, Jordan, Maldives, Myanmar, Peru, Slovenia, Sweden, the former Yugoslav Republic of Macedonia and Turkey.

This is truly a wonderfully broad endorsement.

The proclamation of 22 April as International Mother Earth Day aims to invite States, the United Nations and the rest of the intergovernmental system, organized civil society and other stakeholders to observe the Day each year. It provides a timely opportunity to raise public awareness around the world of the challenges that we face regarding the well-being of the planet and all the life it supports.

(*spoke in Spanish*)

The Assembly will now take action on draft resolution A/63/L.69, entitled "International Mother Earth Day". May I take it that the Assembly decides to adopt draft resolution A/63/L.69?

Draft resolution A/63/L.69 was adopted (resolution 63/278).

Address by Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia

The President (*spoke in Spanish*): The Assembly will now hear an address by the President of the Plurinational State of Bolivia.

Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia, was escorted into the General Assembly Hall.

The President (*spoke in Spanish*): On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia, and to invite him to address the Assembly.

President Morales Ayma (*spoke in Spanish*): First of all, I would like to welcome the decision today, 22 April 2009, by the United Nations to designate this day as the International Day of Mother Earth. As Governments, Presidents and representatives of the States that make up the United Nations, we have an enormous responsibility towards life and towards humankind. We know we have a role to play, a task to carry out and a responsibility, as Governments, to work for equality for our peoples, for unity and for dignity. Above all, we must work for humankind itself, because, in recent years and decades, we have seen the ongoing and deep damage done to Mother Earth. That is why this initiative of the national Government to designate one date, 22 April, to pay tribute to Mother Earth is, of course, not a festival but a day of deep reflection on the planet Earth.

We recall that, in past centuries, there was a continuous struggle for human rights. The major social movements battled in various continents and countries in the eighteenth and nineteenth centuries, when human rights were still not recognized under international law. Thanks to the struggle of the peoples of North

America, Europe and all continents, the rights of a few and the slavery of many were recognized.

However, countries are constantly providing for human rights in their constitutions. I would say that the past century, the twentieth, was the century of human rights. After many struggles waged and demands issued in various regions and continents, human rights were finally recognized. In the twentieth century, civil and political rights were recognized from 1948 on. In 1966, economic, social and cultural rights were recognized. Sixty years ago, human rights were not respected throughout the world. What would human rights be today if they had not been recognized?

But 60 years ago they were recognized, and now we are convinced that, with today's declaration of International Mother Earth Day, planet Earth, Mother Earth, has also won her rights. And this new century, the twenty-first, should be the century of Mother Earth's rights. The decision we have taken today, under the leadership of the President of the General Assembly, is important. It is a singular, historic and unprecedented event for humankind, and those who have decided to support this great initiative will go down in history, the new history of awakening humankind.

That is why I reiterate once again that the twenty-first century is the century of the rights of Mother Earth and of all living beings. If we are to live in harmony with nature, we need to recognize that not only we human beings have rights, but that the planet does as well. Animals, plants and all living beings have rights that we must respect. What is happening to us now with climate change is the direct result of not respecting the rights of Mother Earth. The United Nations must ensure that the rights of Mother Earth and of all living beings are respected. The great challenge of the United Nations in the twenty-first century is to be aware of and watch over the rights of everyone and everything.

I know that this task will not be easy. Many people, in particular certain lawyers — forgive me for saying so — will say that only human beings have rights. In our view, it is difficult to accept that. While some human beings believe themselves to be at the centre of the world and the universe, I also know that, in the end, reason, good sense and reality will prevail.

Another important thing that I would like to point out is the importance of coexisting with nature, because human life is not possible without Mother Earth. Every day, at least in the mountains of the Andes region, we see our mountains losing their snowcaps. Our lakes are drying up. The islands are beginning to disappear. That is serious for humankind.

But I would also like to recall that in Bolivia, in particular among the local indigenous peoples that I am familiar with, Mother Earth is sacred to life. That is why we undertake sacred rituals of tribute to our rivers, forests, lakes and animals and have many tunes to express our respect for Mother Earth. I am convinced that Mother Earth is more important than humankind, and therefore the rights of Mother Earth are as important as those of any human being.

I would ask the representatives of the countries that comprise the United Nations to consider that Earth would have no problems if there were no human beings, but human beings would not be human beings without Mother Earth. I greatly regret our current, ongoing plight. The problems of the so-called financial, energy and food crises are the results of human beings' failure to respect planet Earth. I therefore wish to tell the President and members of this Assembly and our 192 Governments that our challenge is to agree on a universal declaration of the rights of Mother Earth. To contribute to that task, I would like to propose four rights of great importance to humankind.

First is the right to life, which means the right to exist. It is the right of no ecosystem, species, animal, vegetable, sea, river or lake to be eliminated or pushed to extinction by the irresponsible behaviour of human beings. We human beings must recognize that Mother Earth and all living beings have a right to exist and that our rights end when we set off the extinction or elimination of nature.

Second is the right of regeneration for the planet's biocapacity. Mother Earth must be able to regenerate its biodiversity. Human activity on the planet and its resources cannot be unlimited. Development cannot be infinite. There is a limit, and that limit is the capacity of animal and vegetable species, forests, water sources and the very atmosphere to regenerate themselves. It is more important to produce oxygen than carbon dioxide. If we human beings consume and, worse still, destroy more than Mother Earth can replace and recreate, we will slowly kill our home. We will gradually poison our planet, all human beings and ourselves.

Third is the right to a clean life. That means the right of Mother Earth to live without pollution, because not only we humans, but also the fish, animals and trees have the right to live well. The Earth itself has the right to live in a clean environment, free of poisons and toxins.

Fourth is the right to harmony and balance with and among all and everything. It is the right to be recognized as a part of a system in which each of us and everything is interdependent in the right to live in balance with human beings.

Millions of living species live on our planet, but only we human beings have the capacity and consciousness to control our own evolution in order to promote harmony with nature.

Until now, human beings have been prisoners of development capitalism, which states that man is the sole owner of the planet. Now it is time to recognize that the Earth does not belong to us. It is the other way around: we belong to the Earth, and it is our mission in the world to watch over the rights, not only of human beings, but of Mother Earth and of all living beings.

In conclusion, I would like everyone to say with me, jallalla Pachamama — long live Mother Earth!

The President (*spoke in Spanish*): On behalf of the General Assembly, I wish to thank the President of the Plurinational State of Bolivia for the statement he has just made.

Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia, was escorted from the General Assembly Hall.

The President (*spoke in Spanish*): This is a very important day for me, and personally speaking, I am very happy with the resolution that we have just adopted. I wanted to express my happiness by putting on my best suit. I am very proud of this suit, because it is the dress of my homeland — Latin America — and a gift from President Evo Morales.

(*spoke in English*)

I am very pleased that we have adopted this historic resolution that establishes International Mother Earth Day. I wish to thank President Evo Morales Ayma for his inspiring words and for honouring the Assembly with his presence today. He deserves our congratulations for making our concerns about our beleaguered planet a bigger part of public discourse. I thank representatives for their insightful interventions and for having collaborated in expediting the approval of the resolution.

I believe the Assembly's adoption of International Mother Earth Day has special significance at this point in our human odyssey. As scientists have pointed out, we are approaching, and may have already reached, a tipping point at which the damage that we are doing to the environment is irreversible. We may face a future of inexorable decline as we destroy the fragile ecosystems that support all life on the planet. The question before us is how to slow this decline or, in the best of scenarios, how to reverse it and return our planet to good health.

We are also approaching a tipping point in our collective awareness of the terrible harm our species is inflicting on dear Mother Earth. We are now aware of the miraculous intricacy of our land and marine biodiversity, as well as its fragility. Two years ago, this noble body declared 2010 as the International Year of Biodiversity as part of the effort to slow the horrendous rate of loss of our planetary health and wealth. Still, we continue to squander our natural abundance in the name of a quasi-religious faith in profit and idolatry of the marketplace. The unfolding economic and financial crisis must be seen not only as a policy failure, but as a warning that our hyperconsumption, unfettered greed and obsessive accumulation of power and dominance have no future if we are to survive.

The Assembly is sending a special message of hope with the proclamation of Mother Earth Day. We are putting people and the well-being of the planet at the centre of our attention and recognizing responsible stewardship of our dwindling resources as a shared responsibility. Mother Earth, after all, nurtures and sustains life and our very humanity. It is only right that we, as sisters and brothers all, take care of Mother Earth in return.

Let us become good stewards once again. Let us listen to the wisdom of indigenous peoples who, despite all odds, have sustained their profound links to nature. Let us support the billion small food producers who, with sustainable farming methods, can continue to provide us with healthy food and not be driven into abject poverty by unfair trade policies and rapacious agro-industries.

Our decision today marks one more symbolic step in changing the dominant mindset that has brought us

so close to self-destruction. This morning we have another opportunity to pause and reflect on this moment in history — its challenges and its opportunities.

The Assembly has thus concluded this stage of its consideration of sub-item (d) of agenda item 59.

Before adjourning this meeting, may I invite members to remain seated so that we may begin the informal segment to hear statements by Ms. Maude Barlow, senior adviser to the President on water issues, and Mr. Leonardo Boff, special invitee of the President of the General Assembly.

The meeting rose at 11 a.m.

United Nations A/63/PV.81

General Assembly

Sixty-third session

Official Records

81st plenary meeting
Friday, 24 April 2009, 10 a.m.
New York

President: Mr. D'Escoto Brockmann (Nicaragua)

In the absence of the President, Mr. Yáñez-Barnuevo (Spain), Vice President, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

The Acting President (*spoke in Spanish*): Members will recall that the Assembly concluded its consideration of agenda item 65 and its sub-items (a) to (c) at its 68th plenary meeting, on 11 December 2008. As indicated in the footnote to document A/63/L.67*, in order to enable the Assembly to consider the draft resolution, it is necessary to reopen consideration of sub-item (b) of agenda item 65.

May I take it that it is the wish of the General Assembly to reopen consideration of sub-item (b) of agenda item 65?

It was so decided.

The Acting President (*spoke in Spanish*): May I further take it that the Assembly agrees to proceed immediately to consideration of sub-item (b) of item 65? I see no objections, so we shall proceed accordingly.

Agenda item 65 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:

(b) Special economic assistance to individual countries or regions

Report of the Secretary-General (A/63/659)

Draft resolution (A/63/L.67*)

The Acting President (*spoke in Spanish*): I call on the representative of Kazakhstan to introduce draft resolution A/63/L.67*.

Ms. Aitimova (Kazakhstan): Today is Friday, but so many members of the Assembly are here. They are most welcome, and from the bottom of my heart I would like to wish all a pleasant weekend after they have taken action on this draft resolution, which I hope will be adopted today.

I am honoured to present draft resolution A/63/L.67*, entitled "International cooperation and coordination for the human and ecological rehabilitation and economic development of the Semipalatinsk region of Kazakhstan", which has been submitted under agenda item 65 (b).

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09-31258 (E)

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This is the sixth time such a draft resolution is to be adopted. In this regard we express our deep appreciation to Member States that have previously supported these resolutions and those that are sponsoring the draft resolution on the Semipalatinsk region for the first time. Today 88 Member States have already co-sponsored the draft resolution. My delegation deems this support to be recognition of the historical contribution of Kazakhstan to nuclear disarmament and non-proliferation of weapons of mass destruction. Indeed, in 1991, for the first time in world history, the largest nuclear test site in the Semipalatinsk region of Kazakhstan was shut down by decree of the President of our country, Mr. Nursultan Nazarbayev.

It is known that from 1949 to 1989 there were 458 atmospheric and underground nuclear and thermonuclear explosions, the cumulative capacity of which equalled 2,500 bombs of the size dropped on Hiroshima in 1945. The area affected by that nuclear testing is more than 300,000 square kilometres, and the consequences are tragic. More than a million people have been recognized as victims of this inhuman exercise. Radiation has weakened people's immune systems. Disease rates have subsequently risen, and the cost and duration of diseases have been exacerbated. The harmful impact of nuclear testing is transmitted from generation to generation.

It is worth noting that the problem of Semipalatinsk is not entirely new to the international community. Kazakhstan has struggled with the consequences of the nuclear tragedy for almost two decades, and it calls on the international community to intensify efforts aimed at nuclear disarmament and prevention of the proliferation of weapons of mass destruction. Kazakhstan has real reason to argue vociferously about the need for the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, since for 40 years our land has been a testing ground for deadly weapons and our people are today experiencing the dire consequences of those tests.

The draft of the sixth resolution on the Semipalatinsk region is clear evidence of the recognition by the international community that this issue remains a matter of serious concern for the people and Government of Kazakhstan with regard to the long-term nature and adverse effects on the life and health of people, especially children, and on the environment of the region.

The draft resolution notes the important role of the Government of Kazakhstan in allocating the domestic resources for rehabilitation of the region in the context of relevant national programmes, including that entitled "Complex solution of the former Semipalatinsk nuclear test site problems for 2005-2007" and the elaboration of a new programme cycle for 2009 to 2011.

In addition, the draft resolution recognizes the contributions of various United Nations agencies, donor countries and intergovernmental and non-governmental organizations in providing humanitarian aid and projects for the rehabilitation of the Semipalatinsk region.

In particular, I wish to express deep gratitude to the Government of Japan for its substantial financial support for a number of projects implemented by the United Nations Development Programme in Kazakhstan aimed at improving the living standards in the region. Moreover, Japan has assisted the local government in implementing a major project to improve the health care system in the region. In addition, the Unites States Agency for International Development is implementing a project in the field of primary health care. The United Kingdom is rendering assistance in the development of a plan for collective land use in secure areas of the Semipalatinsk test site. The European Commission is funding a project in the field of nuclear safety. Also, there have been a number of other projects with financial support from the Governments of our neighbouring countries and of Switzerland, Italy and Canada, among others.

The draft resolution also invites Member States to observe, in 2011, the twentieth anniversary of the closure of the Semipalatinsk nuclear test site and welcomes initiatives commemorating the twentieth anniversary of the international anti-nuclear movement "Nevada-Semei", and the international conference of the International Atomic Energy Agency on remediation of land contaminated by radioactive material resides, to be held in 2009.

The novelty of this draft resolution is that the results of its implementation will be reviewed at the sixty-sixth session of the General Assembly under the agenda item "Sustainable development", whereas all previous resolutions were considered under the item on humanitarian aid to countries with special needs. The reduced relevance of the humanitarian component in

the draft resolution is related to the increase in domestic resources for regional socio-economic programmes in the context of overall development, while international assistance in the form of relevant technical expertise aimed at overcoming the effects of nuclear explosions comes to the fore. In fact, the cooperation between the international community and the Government of Kazakhstan to overcome the effects of nuclear explosions is reaching a new level.

It should be also stressed that the report of the Secretary-General (A/63/659) noted the need to provide advanced technologies to minimize and mitigate radiological, socio-economic, environmental and health problems in the Semipalatinsk region. The draft resolution calls upon the international community to support Kazakhstan in the development and implementation of special programmes and projects to address the situation in our efforts to achieve economic growth and sustainable development in the Semipalatinsk region.

In conclusion, I would like to note that this draft resolution will be adopted by consensus, without a vote. I thank the Assembly for its kind support.

The Acting President (*spoke in Spanish*): The Assembly will now take action on draft resolution A/63/L.67*, entitled "International cooperation and coordination for the human and ecological rehabilitation and economic development of the Semipalatinsk region of Kazakhstan". I should like to announce that, since the introduction of the draft resolution, the following countries have become sponsors: Albania, Australia, Austria, Benin, Burkina Faso, Cyprus, Colombia, Croatia, Djibouti, France, Guatemala, Hungary, Iceland, India, Indonesia, the Islamic Republic of Iran, Ireland, Israel, Mauritius, Monaco, Qatar, the Republic of Korea, Slovakia, Spain, the Syrian Arab Republic and Thailand.

May I take it that the Assembly decides to adopt draft resolution A/63/L.67*?

Draft resolution A/63/L.67 was adopted* (resolution 63/279).

The Acting President (*spoke in Spanish*): The Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 65.

The meeting rose at 10.25 a.m.